

EXHIBIT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re CATHODE RAY TUBE (CRT)) Master Case No.
ANTITRUST LITIGATION) 3:07-cv-05944-SC
) MDL No. 1917
) Individual Case No.
) 3:13-cv-01173-SC;
) 3:13-cv-02776-SC

This Document Relates to:)

ALL ACTIONS)

VOLUME 2

Videotaped Deposition of TOSHIHITO
NAKANISHI, taken on behalf of the Defendants,
at 501 West Broadway, 19th Floor, San Diego,
California, commencing at 9:35 a.m., Wednesday,
July 30, 2014, before Cheryl Sletta, CSR No.
7354, RPR.

1 APPEARANCES: (Continued)
2 For the Panasonic Defendants:
3 WEIL, GOTSHAL & MANGES LLP
4 BY: ADAM C. HEMLOCK, ESQ.
5 KAJETAN ROZGA, ESQ.
6 RYAN GOODLAND, ESQ.
7 (Telephonic Appearance)
8 767 Fifth Avenue
9 New York, New York 10153-0119
10 (212) 310-8000
11 adam.hemlock@weil.com
12 kajetan.rozga@weil.com
13

14 For the Toshiba Defendants:

15
16 WHITE & CASE
17 BY: AYA KOBORI, ESQ.
18 1155 Avenue of the Americas
19 New York, New York 10036-2787
20 (212) 819-8932
21 akobori@whitecase.com
22

23 For the Philips Defendants:

24
25 BAKER BOTTS L.L.P.
26 BY: TIFFANY B. GELOTT, ESQ.
27 The Warner
28 1299 Pennsylvania Ave., NW
29 Washington D.C. 20004-2400
30 (202) 639-7766
31 tiffany.gelott@bakerbotts.com
32

33 For the Thomson Defendants:
34 (Telephonic Appearance)

35
36 FAEGRE BAKER DANIELS
37 BY: STEPHEN M. JUDGE, ESQ.
38 202 South Michigan Street
39 Suite 1400
40 South Bend, Indiana 46601
41 (547) 239-1942
42 stephen.judge@FaegreBD.com
43
44

1 APPEARANCES:
2 For the Sharp Plaintiffs and the Witness:
3 PAUL, WEISS, RIFKIND,
4 WHARTON & GARRISON LLP
5 BY: CRAIG A. BENSON, ESQ.
6 WILLIAM BLAISE WARREN, ESQ.
7 2001 K Street, NW
8 Washington, D.C. 20006-1047
9 (202) 223-7348
10 cbenson@paulweiss.com
11 bwarren@paulweiss.com
12 SHARP ELECTRONICS CORPORATION
13 BY: MICHAEL KRAVER
14 ASSOCIATE GENERAL COUNSEL
15 Sharp Plaza
16 Mahwah, New Jersey 07495-1163
17 (201) 529-9418
18 kraverm@sharpsec.com
19

20 For the Indirect Purchaser Plaintiffs:

21
22 KIRBY McINERNEY LLP
23 BY: ROBERT J. GRALEWSKI, JR., ESQ.
24 600 B Street
25 San Diego, California 92101
26 (619) 398-4340
27 bgralewski@kmlp.com
28 TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP
29 BY: LAUREN C. CAPURRO, ESQ.
30 (Telephonic appearance)
31 2280 Union Street
32 San Francisco, California 94123
33 (415) 563-7200
34 lauren russell@tstp.com
35
36
37
38
39

1 APPEARANCES: (Continued)
2 For the Hitachi Defendants:
3 (Telephonic Appearance)
4

5 KIRKLAND & ELLIS, LLP
6 BY: ANDREW WIENER, ESQ.
7 555 California Street
8 San Francisco, California 94104
9 (415) 439-1608
10 andrew.wiener@kirkland.com

11 The Japanese Interpreter:
12 MANAKO IHAYA
13

14 Plaintiffs' Check Interpreter:

15 SATOKO (SOPHIE) UTSUNOMIYA
16
17

18 Defendants' Check Interpreter:
19 MINORU AKUHARA
20

21 The Videographer:

22 LINDSAY LEWIS
23
24
25
26
27
28
29
30
31
32
33

Page 357

1 information that might be useful to you in
2 connection with your pricing negotiations for U.S.
3 or NAFTA CRT purchases were prices offered in Asia.

4 Do you remember giving that testimony?

5 A Yes.

6 Q Can you explain why Asian prices would be
7 of interest to you in connection with your pricing
8 negotiations for CRT purchases for SEMA or SMCA?

9 MR. HEMLOCK: Objection to form.

10 THE WITNESS: Well, I think I said
11 practically the same thing earlier, but when there
12 is a shipment from Singapore to Long Beach, for
13 instance, the cost of the CRT tubes would be based
14 on how many of those units would be in a container.
15 And in addition to that, there would be a 15 percent
16 tariff.

17 So in the -- for the CRT tubes from Asia,
18 the cost of the -- cost of such CRT tubes would be
19 the freight cost divided by how many units. And
20 then in addition to that, you add the 15 percent.
21 So that would be the cost of the CRT tubes in Asia.

22 PLAINTIFF'S CHECK INTERPRETER: In the
23 United States.

24 THE INTERPRETER: Huh?

25 PLAINTIFF'S CHECK INTERPRETER: In the

Page 358

1 United States. That will be the price of the CRTs
2 made in Asia in the United States.

3 THE INTERPRETER: Thank you, yes.

4 THE WITNESS: And so for the salesperson
5 at NAFTA as well, they also take into consideration
6 the price -- the Asians' CRT tubes would be when
7 they come into the United States. So that would be
8 both for the United States and Mexico, but -- so in
9 that sense, the prices in Asia, the CRT tube prices
10 in Asia was necessary in that sense for negotiating
11 CRT tubes of NAFTA as well.

12 BY MR. BENSON:

13 Q And this is because you observed that
14 there was a relationship between the Asian CRT
15 prices and the United States CRT prices? Let me
16 change that to NAFTA instead of the United States.

17 MS. KOBORI: Object to form.

18 MR. HEMLOCK: Object to form.

19 THE WITNESS: Yes, I believe there was a
20 relationship.

21 MR. BENSON: Okay. I think I am done for
22 now.

23 MR. HEMLOCK: Okay. This will be very
24 quick. Thank you.

25 FURTHER EXAMINATION

Page 359

1 BY MR. HEMLOCK:

2 Q Nakanishi-san, hi. Just two very brief
3 follow-up questions from the examination.

4 Turning back to Exhibit 3620, Mr. Benson
5 had asked you a couple of questions about this. And
6 if you could kindly turn back to page 212458.

7 Am I correct, Mr. Nakanishi, that you do
8 not recall preparing this page of this document?

9 A So are you asking me who prepared this?

10 Q No, I'm asking whether it's correct that
11 you do not recall preparing it.

12 MR. BENSON: I'm going to object because
13 he already testified who he believed prepared it.
14 You're making it sound like he prepared it and he
15 forgot that he did.

16 MR. HEMLOCK: No, no, no. That's not my
17 intent. Well, let me -- let me be clear then.

18 Q What is your understanding of who prepared
19 this page?

20 A The group that is stated here, which is
21 the global procurement group of Sharp Japan.

22 Q Okay. And so to be clear, you were not a
23 member of that group, so you did not prepare this
24 page, correct?

25 A Correct.

Page 360

1 Q Okay. Now, with respect to the one entry
2 that's been the subject of Mr. Benson's questions
3 where it says -- and I'll just read the translation:
4 "There is a possibility that Samsung and LGPD are
5 conspiring."

6 Do you see that?

7 A Yes.

8 Q Do you know what basis the author had for
9 writing those words?

10 A That, I would not know, but I suspect that
11 just because the prices both happened to go up and
12 it was to the same price, so perhaps just because it
13 was the same price.

14 Q Okay. But you don't know, in fact, what
15 the reason is that the author wrote those words?

16 A That's correct, I don't know.

17 MR. HEMLOCK: No further questions. Okay.
18 Thank you, Nakanishi-san.

19 THE VIDEOGRAPHER: This ends videodisc
20 number 5, and this ends today's deposition of
21 Toshihito Nakanishi, Volume 2. The time is
22 7:34 p.m. on July 30th, 2014. We are off the
23 record.

24 (The deposition concluded at 7:34 p.m.)
25